

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON

UNITED STATES OF AMERICA,

v.

Criminal Action No.: 3:11-00054

ERNEST JAMES JOHNSON.

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that the defendant ERNEST JAMES JOHNSON appeals to the United States Court of Appeals for the Fourth Circuit from (i) the entry on the date of December 6, 2011, of the *Order* of the United States District Court, Southern District of West Virginia, by the Honorable Robert C. Chambers, Judge of the United States District Court, in which the defendant's *Motion for a Judgment of Acquittal or, Alternatively, Motion for a New Trial* was denied; and (ii) from the imposition of a judgment in this criminal case on the date of January 30, 2012, which judgment was entered as a matter of record in this criminal case on the date of January 31, 2012.

RESPECTFULLY SUBMITTED,

ERNEST JAMES JOHNSON
By Counsel

/s/ Dana F. Eddy

DANA F. EDDY

THE EDDY LAW OFFICE

Suite 300, 122 Capitol Street

Charleston, WV 25301

(304) 720-4392

Fax: (304) 345-3083

E-mail: dana@danaeddy.com

CERTIFICATE OF SERVICE

I, Dana F. Eddy, hereby certify that on this 13th day of February, 2012, I filed the foregoing *Notice of Appeal* with the Court, using CM/ECF, which will cause to be sent notification of such filing, electronically, to the following CM/ECF participants:

JOSEPH F. ADAMS
Special Assistant United States Attorney
845 Fifth Avenue
Room 209
Huntington, WV 25701
E-mail: joe.adams@usdoj.gov
Counsel for the United States of America

WILLIAM B. KING II
Assistant United States Attorney
P.O. Box 1713
Charleston, WV 25326
E-mail: bill.king@usdoj.gov
Counsel for the United States of America

/s/ Dana F. Eddy
DANA F. EDDY
THE EDDY LAW OFFICE
Suite 300, 122 Capitol Street
Charleston, WV 25301
(304) 720-4392
Fax: (304) 345-3083
E-mail: dana@danaeddyllaw.com